



General Assembly

February Session, 2004

Amendment

LCO No. 4209

SB0006204209SD0

Offered by:

SEN. SULLIVAN, 5th Dist.
SEN. LOONEY, 11th Dist.
SEN. WILLIAMS, 29th Dist.
SEN. PETERS, 20th Dist.
SEN. NEWTON, 23rd Dist.

To: Subst. Senate Bill No. 62 File No. 461 Cal. No. 339
(As Amended)

**"AN ACT PROVIDING BENEFITS AND PROTECTION FOR
VOLUNTEER CANINE SEARCH AND RESCUE MEMBERS."**

1 Strike section 3 in its entirety and insert the following in lieu thereof
2 and renumber the remaining sections accordingly:

3 "Sec. 3. Section 53a-167c of the general statutes, as amended by
4 section 1 of public act 03-6 and section 126 of public act 03-19, is
5 repealed and the following is substituted in lieu thereof (*Effective*
6 *October 1, 2004*):

7 (a) A person is guilty of assault of public safety or emergency
8 medical personnel when, with intent to prevent a reasonably
9 identifiable peace officer, firefighter or employee of an emergency
10 medical service organization, as defined in section 53a-3, emergency
11 room physician or nurse, employee of the Department of Correction,

12 employee or member of the Board of Parole, probation officer,
13 employee of the judicial branch assigned to provide pretrial secure
14 detention and programming services to juveniles accused of the
15 commission of a delinquent act, employee of the Department of
16 Children and Families assigned to provide direct services to children
17 and youth in the care or custody of the department, [or] employee of a
18 municipal police department assigned to provide security at the police
19 department's lockup and holding facility or individual member of a
20 volunteer canine search and rescue team, as defined in section 5-249, as
21 amended by this act, from performing his or her duties, and while
22 such peace officer, firefighter, employee, physician, nurse, member,
23 [or] probation officer or individual member is acting in the
24 performance of his or her duties, (1) such person causes physical injury
25 to such peace officer, firefighter, employee, physician, nurse, member,
26 [or] probation officer or individual member, or (2) such person throws
27 or hurls, or causes to be thrown or hurled, any rock, bottle, can or
28 other article, object or missile of any kind capable of causing physical
29 harm, damage or injury, at such peace officer, firefighter, employee,
30 physician, nurse, member, [or] probation officer or individual member,
31 or (3) such person uses or causes to be used any mace, tear gas or any
32 like or similar deleterious agent against such peace officer, firefighter,
33 employee, physician, nurse, member, [or] probation officer or
34 individual member, or (4) such person throws or hurls, or causes to be
35 thrown or hurled, any paint, dye or other like or similar staining,
36 discoloring or coloring agent or any type of offensive or noxious
37 liquid, agent or substance at such peace officer, firefighter, employee,
38 physician, nurse, member, [or] probation officer or individual member,
39 or (5) such person throws or hurls, or causes to be thrown or hurled,
40 any bodily fluid including, but not limited to, urine, feces, blood or
41 saliva at such peace officer, firefighter, employee, physician, nurse,
42 member, [or] probation officer or individual member.

43 (b) Assault of public safety or emergency medical personnel is a
44 class C felony. If any person who is confined in an institution or facility
45 of the Department of Correction is sentenced to a term of

46 imprisonment for assault of an employee of the Department of
47 Correction under this section, such term shall run consecutively to the
48 term for which the person was serving at the time of the assault.

49 Sec. 4. Section 53-247 of the general statutes is repealed and the
50 following is substituted in lieu thereof (*Effective October 1, 2004*):

51 (a) Any person who overdrives, drives when overloaded,
52 overworks, tortures, deprives of necessary sustenance, mutilates or
53 cruelly beats or kills or unjustifiably injures any animal, or who,
54 having impounded or confined any animal, fails to give such animal
55 proper care or neglects to cage or restrain any such animal from doing
56 injury to itself or to another animal or fails to supply any such animal
57 with wholesome air, food and water, or unjustifiably administers any
58 poisonous or noxious drug or substance to any domestic animal or
59 unjustifiably exposes any such drug or substance, with intent that the
60 same shall be taken by an animal, or causes it to be done, or, having
61 charge or custody of any animal, inflicts cruelty upon it or fails to
62 provide it with proper food, drink or protection from the weather or
63 abandons it or carries it or causes it to be carried in a cruel manner, or
64 fights with or baits, harasses or worries any animal for the purpose of
65 making it perform for amusement, diversion or exhibition, shall be
66 fined not more than one thousand dollars or imprisoned not more than
67 one year or both.

68 (b) Any person who maliciously and intentionally maims, mutilates,
69 tortures, wounds or kills an animal shall be fined not more than five
70 thousand dollars or imprisoned not more than five years or both. The
71 provisions of this subsection shall not apply to any licensed
72 veterinarian while following accepted standards of practice of the
73 profession or to any person while following approved methods of
74 slaughter under section 22-272a, as amended, while performing
75 medical research as an employee of, student in or person associated
76 with any hospital, educational institution or laboratory, while
77 following generally accepted agricultural practices or while lawfully
78 engaged in the taking of wildlife.

79 (c) Any person who knowingly (1) owns, possesses, keeps or trains
80 an animal engaged in an exhibition of fighting for amusement or gain,
81 (2) possesses, keeps or trains an animal with the intent that it be
82 engaged in an exhibition of fighting for amusement or gain, (3) permits
83 an act described in subdivision (1) or (2) of this subsection to take place
84 on premises under his control, (4) acts as judge or spectator at an
85 exhibition of animal fighting for amusement or gain, or (5) bets or
86 wagers on the outcome of an exhibition of animal fighting for
87 amusement or gain, shall be fined not more than five thousand dollars
88 or imprisoned not more than five years or both.

89 (d) Any person who intentionally injures any animal while such
90 animal is in the performance of its duties under the supervision of a
91 peace officer, as defined in section 53a-3, or intentionally injures a dog
92 that is a member of a volunteer search and rescue team, as defined in
93 section 5-249, as amended by this act, while such dog is in the
94 performance of its duties under the supervision of the individual
95 member of such team, shall be fined not more than five thousand
96 dollars or imprisoned not more than five years or both.

97 [(d)] (e) Any person who intentionally kills any animal while such
98 animal is in the performance of its duties under the supervision of a
99 peace officer, as defined in section 53a-3, or intentionally kills a dog
100 that is a member of a volunteer canine search and rescue team, as
101 defined in section 5-249, as amended by this act, while such dog is in
102 the performance of its duties under the supervision of the individual
103 member of such team shall be fined not more than [five] ten thousand
104 dollars or imprisoned not more than [five] ten years or both."